

CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA

RESOLUTION NO. 2012- ____

A RESOLUTION ESTABLISHING CERTAIN WATER USAGE RATES APPLICABLE TO USERS LOCATED INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF BIXBY; ESTABLISHING CERTAIN SANITARY SEWER USAGE RATES APPLICABLE TO USERS LOCATED INSIDE AND OUTSIDE THE CORPORATE LIMITS OF THE CITY OF BIXBY; ESTABLISHING SYSTEM DEVELOPMENT FEES; RATIFYING WATER AND SANITARY SEWER USAGE RATES PREVIOUSLY ADOPTED BY THE BIXBY PUBLIC WORKS AUTHORITY; REPEALING ALL RESOLUTIONS IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, it is appropriate that the Bixby City Council establish water rate and sanitary sewer usage rates necessary to provide utility services to the citizens of the City of Bixby, Oklahoma and certain users outside of the corporate limits of Bixby;

WHEREAS, the Bixby City Code, Section 8-1-3 imposes a system development fee to fund a Water and Sewer Capital Improvement Development Fund in such amounts as established by resolution of the City Council; and

WHEREAS, City Council deems it appropriate to ratify and adopt water and sanitary sewer usage rates previously adopted by the Bixby Public Works Authority (BPWA) Resolution Numbers, 1988-10 (water), 1998-05 (sewer), 1998-06 (water), 1998-07 (sewer), 2000-11 (water), 2002-12 (water), 2006-22 (water) and 2009-10 (water);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BIXBY, OKLAHOMA:

Section 1. **Monthly Quantity Water Rate Charge-Inside the City.** That the minimum monthly charge assessed by the City of Bixby and/or the Bixby Public Works Authority (BPWA) for all metered, treated water service to residential and commercial users that are within the corporate limits of the City of Bixby shall be as follows:

Inside City Water Rate Charges

RESIDENTIAL Base Rate, for the first 1,000 gallons \$11.14
Rate per 1,000 gallons for after the first 1,000 gallons..... \$5.28

COMMERCIAL Base Rate, for the first 1,000 gallons..... \$11.14
Rate per 1,000 gallons for after the first 1,000 gallons..... \$5.28

Section 2. **Monthly Quantity Water Rate Charge-Outside the City.** That the minimum monthly charge assessed by the City of Bixby and/or the Bixby Public Works

Authority (BPWA) for all metered, treated water service to residential and commercial users that are outside the corporate limits of the City of Bixby shall be as follows:

Outside City Water Rate Charges

RESIDENTIAL Base Rate, for the first 1,000 gallons	\$18.81
Rate per 1,000 gallons for after the first 1,000 gallons.....	\$5.28
 COMMERCIAL Base Rate, for the first 1,000 gallons.....	 \$18.81
Rate per 1,000 gallons for after the first 1,000 gallons.....	\$5.28

Section 3. **Water Rate for Wholesale Water Users.** That the charge assessed by the City of Bixby and/or the Bixby Public Works Authority (BPWA) for wholesale users of water service shall be the rate which the City of Tulsa and/or Tulsa Metropolitan Utility Authority (TMUA) charges the City of Bixby or the BPWA, plus ten percent (10%). This rate shall be applicable to all wholesale users, unless another rate is provided by a contract executed subsequent to the date of this resolution between a wholesale user and the City of Bixby or the BPWA.

Section 4. **Pass-Through Water Rate Adjustments.** That upon future rate increases in water rate charges imposed by the City of Tulsa and/or the Tulsa Metropolitan Utility Authority (TMUA) to the City of Bixby and/or the Bixby Public Works Authority (BPWA), the water rate charges established in Sections 1, 2 and 3 of this Resolution shall automatically increase equal to the City of Tulsa and/or the TMUA increase, multiplied by a loss factor equal to:

$$\frac{1}{(\text{Total Gallons Sold}) \div (\text{total Gallons Purchased})}$$

Such an increase shall be effective immediately on all water usage and the new rates shall be charged to all users beginning with the effective date of any City of Tulsa and/or TMUA rate increase.

Section 5. **Monthly Quantity Sanitary Sewer Rate Charge.** That the City of Bixby finds that in most instances it is impractical to measure the volume of sewage discharged into its sanitary sewer system for the purpose of billing. Therefore, the volume of domestic sewage, upon which the sewer service charges shall be calculated, shall *prima facie* be the amount of water which is metered to the user of both water service and sanitary sewer service, except in cases where treatment facilities are furnished by others, in which cases sanitary sewer service and sewer service charges shall be rendered pursuant to contract. Accordingly, the following attached exhibits shall determine sewer service charges for the purpose of providing funds for the maintenance, repair, operation, expansion, replacement, or reconstruction of the sanitary sewer system of the City of Bixby for residential and commercial user waste charges:

EXHIBIT "A" Sanitary Sewer Rate Charges Effective July 1, 2011 thru June 30, 2012
EXHIBIT "B" Sanitary Sewer Rate Charges Effective July 1, 2012 thru June 30, 2013

EXHIBIT "C" Sanitary Sewer Rate Charges Effective July 1, 2013 thru June 30, 2014
EXHIBIT "D" Sanitary Sewer Rate Charges Effective July 1, 2014 thru June 30, 2015
EXHIBIT "E" Sanitary Sewer Rate Charges Effective July 1, 2015 thru June 30, 2016
EXHIBIT "F" Sanitary Sewer Rate Charges Effective July 1, 2016 thru June 30, 2017

Section 6. **System Development Fees.** That the system development fees assessed upon building permits adopted by Ordinance Number 544 and authorized pursuant to Bixby City Code Section 8-1-3 for deposit in the Water and Sewer Capital Improvement Development Fund are hereby ratified and established as follows:

System Development Fees

Single-family residence or mobile home spaces. Mobile Home units or spaces will be a one-time charge, except when additional units or spaces are added.....	\$450.00
Duplexes.....	\$900.00
Efficiency or studio apartments	\$330.00
Apartments of two bedrooms or larger	\$450.00
Per commercial unit or \$0.05 per square foot, whichever is greater....	\$450.00
Per industrial unit or \$0.05 per square foot, whichever is greater	\$450.00
Car washes with six stalls and \$25.00 per additional stall.....	\$550.00

Section 7. That all water and sanitary sewer usage rates and fees established by the Bixby Public Works Authority (BPWA), including but not limited to BPWA Resolution Numbers, 1988-10 (water), 1998-05 (sewer), 1998-06 (water), 1998-07 (sewer), 2000-11 (water), 2002-12 (water), 2006-22 (water) and 2009-10 (water), and related budgets adopted by the BPWA and the City of Bixby are, by this resolution ratified and adopted by the City Council.

Section 8. *Repeal of Conflicting Resolutions.* That all resolutions or parts of resolutions in conflict herewith be and the same are now expressly repealed.

Section 9. *Severability Clause.* If any section, sentence, clause or phrase of this resolution or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

ADOPTED by the Council: _____.
Date

Mayor of the City of Bixby, Oklahoma

(Seal)

ATTEST:

City Clerk

APPROVED:

City Attorney

EXHIBIT "A"

Sanitary Sewer Rate Charges Effective July 1, 2011 thru June 30, 2012

RESIDENTIAL Base Rate, for the first 1,000 gallons of water usage \$5.00
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$0.90
Maximum monthly residential charge \$15.00

RESIDENTIAL-SPECIAL* Base Rate, for the first 1,000 gallons of water usage..... \$5.00
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$0.90
Maximum Charge \$15.00

COMMERCIAL Base Rate, for the first 1,000 gallons of water usage \$5.00
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$1.15

COMMERCIAL-TWO METERS Base Rate, for the first 1,000 gallons of water usage \$10.00
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$1.15

RESIDENTIAL & COMMERCIAL-NO WATER SERVICE Base Rate \$11.30

WHOLESALE The rates established for residential and commercial users above, plus ten percent (10%), with no maximum.

*The Residential Special Sanitary Sewer Rate is applicable only to Users residing within Lots 1-7, Block 6, Stanford Elm Addition to the City of Bixby and Lots 8-15, Block 7; Lots 1-3, Block 1; and Lots 1-7, Block 3, The Estates of Graystone III Addition to the City of Bixby, Oklahoma. Wastewater from these lots is received and treated pursuant to an Agreement for Sewage Disposal among the City of Bixby, the City of Tulsa and the Regional Metropolitan Utilities Authority (RMUA) executed September-November, 1994 and as subsequently amended.

EXHIBIT "B"

Sanitary Sewer Rate Charges Effective July 1, 2012 thru June 30, 2013

RESIDENTIAL Base Rate, for the first 1,000 gallons of water usage \$6.75
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$1.75
Maximum monthly residential charge \$20.00

RESIDENTIAL-SPECIAL* Base Rate, for the first 1,000 gallons of water usage..... \$6.75
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$1.75
Maximum Charge \$20.00

COMMERCIAL Base Rate, for the first 1,000 gallons of water usage \$6.75
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$2.00

COMMERCIAL-TWO METERS Base Rate, for the first 1,000 gallons of water usage \$13.00
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$2.00

RESIDENTIAL & COMMERCIAL-NO WATER SERVICE Base Rate \$13.05

WHOLESALE The rates established for residential and commercial users above, plus ten percent (10%), with no maximum.

*The Residential Special Sanitary Sewer Rate is applicable only to Users residing within Lots 1-7, Block 6, Stanford Elm Addition to the City of Bixby and Lots 8-15, Block 7; Lots 1-3, Block 1; and Lots 1-7, Block 3, The Estates of Graystone III Addition to the City of Bixby, Oklahoma. Wastewater from these lots is received and treated pursuant to an Agreement for Sewage Disposal among the City of Bixby, the City of Tulsa and the Regional Metropolitan Utilities Authority (RMUA) executed September-November, 1994 and as subsequently amended.

EXHIBIT "C"

Sanitary Sewer Rate Charges Effective July 1, 2013 thru June 30, 2014

RESIDENTIAL Base Rate, for the first 1,000 gallons of water usage \$7.75
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$2.85
Maximum monthly residential charge \$30.00

RESIDENTIAL-SPECIAL* Base Rate, for the first 1,000 gallons of water usage..... \$7.75
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$2.85
Maximum Charge \$30.00

COMMERCIAL Base Rate, for the first 1,000 gallons of water usage \$7.75
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$3.05

COMMERCIAL-TWO METERS Base Rate, for the first 1,000 gallons of water usage \$15.25
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$3.05

RESIDENTIAL & COMMERCIAL-NO WATER SERVICE Base Rate \$14.05

WHOLESALE The rates established for residential and commercial users above, plus ten percent (10%), with no maximum.

*The Residential Special Sanitary Sewer Rate is applicable only to Users residing within Lots 1-7, Block 6, Stanford Elm Addition to the City of Bixby and Lots 8-15, Block 7; Lots 1-3, Block 1; and Lots 1-7, Block 3, The Estates of Graystone III Addition to the City of Bixby, Oklahoma. Wastewater from these lots is received and treated pursuant to an Agreement for Sewage Disposal among the City of Bixby, the City of Tulsa and the Regional Metropolitan Utilities Authority (RMUA) executed September-November, 1994 and as subsequently amended.

EXHIBIT "D"

Sanitary Sewer Rate Charges Effective July 1, 2014 thru June 30, 2015

RESIDENTIAL Base Rate, for the first 1,000 gallons of water usage \$8.75
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$3.95
Maximum monthly residential charge \$40.00

RESIDENTIAL-SPECIAL* Base Rate, for the first 1,000 gallons of water usage..... \$8.75
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$3.95
Maximum Charge \$40.00

COMMERCIAL Base Rate, for the first 1,000 gallons of water usage \$8.75
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$4.15

COMMERCIAL-TWO METERS Base Rate, for the first 1,000 gallons of water usage \$17.50
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$4.15

RESIDENTIAL & COMMERCIAL-NO WATER SERVICE Base Rate \$15.05

WHOLESALE The rates established for residential and commercial users above, plus ten percent (10%), with no maximum.

*The Residential Special Sanitary Sewer Rate is applicable only to Users residing within Lots 1-7, Block 6, Stanford Elm Addition to the City of Bixby and Lots 8-15, Block 7; Lots 1-3, Block 1; and Lots 1-7, Block 3, The Estates of Graystone III Addition to the City of Bixby, Oklahoma. Wastewater from these lots is received and treated pursuant to an Agreement for Sewage Disposal among the City of Bixby, the City of Tulsa and the Regional Metropolitan Utilities Authority (RMUA) executed September-November, 1994 and as subsequently amended.

EXHIBIT "E"

Sanitary Sewer Rate Charges Effective July 1, 2015 thru June 30, 2016

RESIDENTIAL Base Rate, for the first 1,000 gallons of water usage \$9.35
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$3.95
Maximum monthly residential charge \$40.00

RESIDENTIAL-SPECIAL* Base Rate, for the first 1,000 gallons of water usage..... \$9.35
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$3.95
Maximum Charge \$40.00

COMMERCIAL Base Rate, for the first 1,000 gallons of water usage \$9.35
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$4.15

COMMERCIAL-TWO METERS Base Rate, for the first 1,000 gallons of water usage \$18.70
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$4.15

RESIDENTIAL & COMMERCIAL-NO WATER SERVICE Base Rate \$15.65

WHOLESALE The rates established for residential and commercial users above, plus ten percent (10%), with no maximum.

*The Residential Special Sanitary Sewer Rate is applicable only to Users residing within Lots 1-7, Block 6, Stanford Elm Addition to the City of Bixby and Lots 8-15, Block 7; Lots 1-3, Block 1; and Lots 1-7, Block 3, The Estates of Graystone III Addition to the City of Bixby, Oklahoma. Wastewater from these lots is received and treated pursuant to an Agreement for Sewage Disposal among the City of Bixby, the City of Tulsa and the Regional Metropolitan Utilities Authority (RMUA) executed September-November, 1994 and as subsequently amended.

EXHIBIT "F"

Sanitary Sewer Rate Charges Effective July 1, 2016 thru June 30, 2017

RESIDENTIAL Base Rate, for the first 1,000 gallons of water usage \$9.85
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$4.00
Maximum monthly residential charge \$40.00

RESIDENTIAL-SPECIAL* Base Rate, for the first 1,000 gallons of water usage..... \$9.85
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$4.00
Maximum Charge \$40.00

COMMERCIAL Base Rate, for the first 1,000 gallons of water usage \$9.85
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$4.20

COMMERCIAL-TWO METERS Base Rate, for the first 1,000 gallons of water usage \$19.70
Rate per 1,000 gallons for after the first 1,000 gallons of water usage \$4.20

RESIDENTIAL & COMMERCIAL-NO WATER SERVICE Base Rate \$16.15

WHOLESALE The rates established for residential and commercial users above, plus ten percent (10%), with no maximum.

*The Residential Special Sanitary Sewer Rate is applicable only to Users residing within Lots 1-7, Block 6, Stanford Elm Addition to the City of Bixby and Lots 8-15, Block 7; Lots 1-3, Block 1; and Lots 1-7, Block 3, The Estates of Graystone III Addition to the City of Bixby, Oklahoma. Wastewater from these lots is received and treated pursuant to an Agreement for Sewage Disposal among the City of Bixby, the City of Tulsa and the Regional Metropolitan Utilities Authority (RMUA) executed September-November, 1994 and as subsequently amended.